

FILED

AUG - 5 2024

CLERK, U.S. DISTRICT CLERK
 WESTERN DISTRICT OF TEXAS
 BY *DWY*
 DEPUTY

TIEDE

V

COLLIER

UNITED STATES DISTRICT COURT
 WESTERN DISTRICT OF TEXAS
 AUSTIN DIVISION
 X

X CIVIL ACTION NO. 1:23-cv-1004

X

RESPONSE TO DEFENDANT'S OPPOSITION TO CLASS-INTERVENTION

COMES NOW, The #4-Intervenors CLASS pursuant to Fed.R.Civ.P.-19 and 24, and moves this Court to reject the Defendant's request to disallow intervention and Class Certification. In support thereof would show as follows:

1. First, and foremost the example of what is happening with these Defendants in the Pack Unit Heat Lawsuit; these same Defendants are continuing to house these same prisoners in Extreme Heat, and WEAPONIZING the repeated transfers (allegedly) to accomodate one for the heat. They do this by placing prisoners in Ad.Seg. and/or leaving them in transit for months before either transferring them to another unit away from his Family. Thus, when one is moved to an airconditioned place, he will only be there for awhile, then they may end up anywhere. This discourages one from seeking relief from the heat;

2. These Defendants allege that they will be harmed. This is false for they will have information from all of these Intervenors because these same facts have been placed before these Defendants since 2017-18 in multiple lawsuit.-see ARMOUR v DAVIS, 6:18-cv-535 This case shows that there ~~have~~ has been hundreds of grievances filed about the EXTREME HEAT and other unconstitutional living conditions. Plus it shows evidence that was placed before the Courts. The Defendants alleged that the Intervenors related issues that go back twenty-six years ago; the reason being because the same conditions still exist inspite the settlement in the Pack Unit lawsuit. Their treatment of the Plaintiffs in that lawsuit is even more evidence as to why this lawsuit must be a Class-Action that includes every prisoner and every unit in TDCJ. Without such TDCJ will continue to play hide and seek with the relief that they are suppose to provide.

3. These Defendants allege that these Intervenors are already represented. How can this be so without this case being Certifide as a Class-Action. This is how they give prisoners the runaround when they ask for relief that was offered in other cases.

4.Finally, each of the 34-Interventors meet each of the Four Part test for leave to Intervene as set-out in Fed.R.Civ.P.-24(a)(2) and 24(b)(2).-see EEOC v COMMERCIAL SERVICE, 220 F.R.D. 300(TX S.D.2004)

CONCLUSION

The Extreme Heat is an issue that has been grived to these Defendants for years, if not decades, which dates back to when \$800,000 was spent for aircondition facilities for the hogs.-see ARMOUR,Supra. The Pliantiff Tiede can not protect the interest of these 34-Interventors nor the interest of the 130,000 prisoners who are subjected to the Extreme Heat of the Texas Summers. The protocals that the Defendants would allege that they provide are just PAPERWORK! The reality is another story that only a thorough investion of each unit will reveal the magnitude of this ongoing abuse;and it can only be accomplished by a Special Master from the Department of Justice. Anything less will only result in this matter to come before the Court year after. Thus, Intervention should be permitted and this matter certifide as a Class-Action, not only for these 34-Interventors, but for the entire body of TDCJ Prisoners.

RESPECTFULLY REQUESTED,

Delaneo Griffin
James Hicks
Ishmael Debow
Adrea Boyd
Kenneth P. Rossouw

CERTIFICATE OF SERVICE

We, The Undersigned Intervenors, do hereby certify and declare that on this 30th Day of July 2024, pursuant to 28 USC 1746, CALDWELL v AMEND, 30 F.3d 1119, and under penalty of perjury that we have served the Defendants with the Foregoing Response To The Defendant's Opposition To Class-Intervention by placing same in a sealed envelope, addressed to the Clerk of the Western District of Texas/501 W. 5th St., Rm.1100 Austin, TX 78701, and placing a copy of same in a sealed envelope, addressed to the Texas Attorney General's Office/BRANDON LIVENGOOD P.O.Box 12548 with first class postage prepaid, and placed in the U.S. Mail.

Dolores Griffin
Johnnae Johnson
Travis Hicks

RECEIVED

THE UNDERSIGNED
COFFIELD UNIT
2661 FM 2054 AUG - 5 2024
TENN.COLONY, TX 75884
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY R DEPUTY CLERK

CLERK-U.S.DISTRICT COURT
WESTERN DISTRICT TEXAS
501 W. 5th St., Rm.1100
AUSTIN,TX 78701

JULY 30, 2024

RE: TIEDE v COLLIER, 1:23-cv-1004

Dear Clerk,

Please find enclosed for filing INSTANTER Our Request/Response To Defendant's Opposition to Class-Intervention. Please file and return to us one stamped-filed copy of same. Also, be advised that a copy of same has been mailed to the parties.

THANKING YOU IN ADVANCE FOR YOUR PROMPT ASSISTANCE.

SINCERELY,

Delango D. Coffin
Lehman D. Coffin
Adrienne Bazeal

CC:LEAD ATTORNEY GENERAL-BRANDON LIVENGOOD
LEAD ATTORNEY-TAMIANA SANTOLLO

Deflango Griffin #59674
Coffield Unit
2021 FM 2054
Tenn. Colony, TX 75804

H. H. G. Ak

Clerk U.S. District Court
Western District of Texas
501 W. 5th St., Ste. 1100
Austin, TX 78701

SCREENED BY CSC

AUG 05 2024

